

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute  
2 for Senate Bill Nos. 199, 417 & 42, Page 3, Section 478.252, Line 53, by inserting immediately after  
3 said section and line the following:  
4

5 "558.046. The sentencing court may, upon petition, reduce any term of sentence or probation  
6 pronounced by the court or a term of conditional release or parole pronounced by the state board of  
7 probation and parole if the court determines that:

8 (1) The convicted person was:

9 (a) Convicted of an offense that did not involve violence or the threat of violence; [and]

10 (b) Convicted of an offense that involved alcohol or illegal drugs; and

11 (c) Convicted of an offense that did not result in the death of one or more persons;

12 (2) Since the commission of such offense, the convicted person has successfully completed a  
13 detoxification and rehabilitation program; and

14 (3) The convicted person is not:

15 (a) A prior offender, a persistent offender, a dangerous offender or a persistent misdemeanor  
16 offender as defined by section 558.016; [or]

17 (b) A persistent sexual offender as defined in section 566.125; or

18 (c) A prior offender[, or a persistent offender [or a class X offender as defined in section  
19 558.019].

20 558.046. The sentencing court may, upon petition, reduce any term of sentence or probation  
21 pronounced by the court or a term of conditional release or parole pronounced by the state board of  
22 probation and parole if the court determines that:

23 (1) The convicted person was:

24 (a) Convicted of a crime that did not involve violence or the threat of violence; [and]

25 (b) Convicted of a crime that involved alcohol or illegal drugs; and

26 (c) Convicted of a crime that did not result in the death of one or more persons;

27 (2) Since the commission of such crime, the convicted person has successfully completed a  
28 detoxification and rehabilitation program; and

29 (3) The convicted person is not:

30 (a) A prior offender, a persistent offender, a dangerous offender or a persistent misdemeanor  
31 offender as defined by section 558.016; [or]

32 (b) A persistent sexual offender as defined in section 558.018; or

33 (c) A prior offender[, or a persistent offender [or a class X offender as defined in section  
34 558.019]."; and  
35

36 Further amend said bill, Pages 5-6, Section B, by deleting all of said section and inserting in lieu

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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1   thereof the following:  
2

3           "Section B. Because of the need to clarify Missouri's deadly force statute to align with  
4   supreme court precedent and to ensure that offenders convicted of a crime resulting in the death of  
5   any person are not released prematurely, the repeal and reenactment of section 563.046 as enacted by  
6   senate bill no. 60, seventy-ninth general assembly, first regular session and the repeal and  
7   reenactment of section 558.046 as enacted by senate bill no. 167, eighty-seventh general assembly,  
8   first regular session are deemed necessary for the immediate preservation of the public health,  
9   welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the  
10   constitution, and the repeal and reenactment of section 563.046 as enacted by senate bill no. 60,  
11   seventy-ninth general assembly, first regular session and the repeal and reenactment of section  
12   558.046 as enacted by senate bill no. 167, eighty-seventh general assembly, first regular session shall  
13   be in full force and effect upon its passage and approval."; and  
14

15   Further amend said bill by amending the title, enacting clause, and intersectional references  
16   accordingly.